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Attorneys for Plaintiff
 CRAIG YATES, an individual

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual)

CASE NO. CV-10-3359-MEJ

Plaintiffs,)

v.)

**STIPULATION OF DISMISSAL AND
~~[PROPOSED]~~ ORDER THEREON**

KHAN TOKE THAI HOUSE; RANGSAN)
 FASUDHANI and AREEWAN)
 FASUDHANI, each an individual dba)
 KHAN TOKE THAI HOUSE; and)
 RANGSAN and AREEWAN)
 FASUDHANI, Trustees in Trust under THE)
 RANGSAN and AREEWAN)
 FASUDHANI, JOINT LIVING TRUST,)
 dated October 8, 1987,)

Defendants.)

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed. R. Civ. P. 41(a) (2). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to Federal Rules of Civil Procedure 41(a)(2).

4 This stipulation may be executed in counterparts, all of which together shall constitute one
5 original document.

6
7 Dated: April 17, 2012

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

8
9 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
10 Attorneys for Plaintiff CRAIG YATES, an
11 individual

12 Dated: April 18, 2012

Law Office of Jason G. Gong
A Professional corporation

13
14 By: /s/ Jason G. Gong
15 Jason G. Gong, Esq.
16 Attorney for Defendant's RANGSAN
17 FASUDHANI and AREEWAN FASUDHANI, each
18 an individual; and RANGSAN and AREEWAN
19 FASUDHANI, Trustees in Trust under THE
20 RANGSAN and AREEWAN FASUDHANI, JOINT
21 LIVING TRUST, dated October 8, 1987,

22 **ORDER**

23 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.
24 R. Civ. P. 41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
25 purpose of enforcing the parties' Settlement Agreement and General Release should such
26 enforcement be necessary.

27 Dated: April 18, 2012

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Honorable Magistrate Judge Maria Elena James
UNITED STATE DISTRICT JUDGE